

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Rule making related to initial licensure and licensure reactivation

The Board of Physical and Occupational Therapy hereby amends Chapter 200, “Licensure of Physical Therapists and Physical Therapist Assistants,” Chapter 203, “Continuing Education for Physical Therapists and Physical Therapist Assistants,” Chapter 206, “Licensure of Occupational Therapists and Occupational Therapy Assistants,” and Chapter 207, “Continuing Education for Occupational Therapists and Occupational Therapy Assistants,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code chapters 147, 148A and 148B and section 272C.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 148A and 148B.

Purpose and Summary

This rule making amends the Board’s requirements for applying for endorsement and reactivation of licensure by requiring an applicant to only provide verification of licensure from the jurisdiction in which the applicant was most recently licensed and disclose public or pending complaints in any other jurisdiction. These amendments also update the definitions of “hour of continuing education” and “independent study” and remove the requirement for a posttest.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on November 16, 2022, as **ARC 6661C**. A public hearing was held on December 7, 2022, at 8:30 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on March 10, 2023.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on May 24, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend paragraph **200.7(1)“g,”** introductory paragraph, as follows:

g. Provide verification of ~~license(s)~~ license from ~~every the~~ jurisdiction in which the applicant has most recently been licensed, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification direct from the jurisdiction's board office if the verification provides:

ITEM 2. Amend subrule 200.15(3) as follows:

200.15(3) Provide verification of current competence to practice physical therapy by satisfying one of the following criteria:

a. If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the ~~license(s)~~ license from ~~every the~~ jurisdiction in which the applicant ~~is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. to 4. No change.

(2) No change.

b. If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the ~~license(s)~~ license from ~~every the~~ jurisdiction in which the applicant ~~is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. to 4. No change.

(2) No change.

ITEM 3. Amend rule ~~645—203.1(272C)~~, definitions of “Hour of continuing education” and “Independent study,” as follows:

“Hour of continuing education” means at least 50 minutes spent by a licensee ~~in actual attendance at and completion of~~ completing an approved continuing education activity through live, virtual, online or prerecorded means where the instructor provides proof of completion by the licensee as set forth in these rules.

“Independent study” means a subject/program/activity that a person pursues autonomously ~~and that~~ meets standards for approval criteria in the rules ~~and includes a posttest.~~

ITEM 4. Amend rule 645—206.9(147) as follows:

645—206.9(147) Licensure by endorsement. An applicant who has been a licensed occupational therapist or occupational therapy assistant under the laws of another jurisdiction shall file an application for licensure by endorsement with the board office. The board may receive by endorsement any applicant from the District of Columbia, another state, territory, province or foreign country who:

1. to 5. No change.

6. Provides verification of ~~license(s)~~ license from ~~every the~~ the jurisdiction in which the applicant has most recently been licensed, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification direct from the jurisdiction's board office if it provides:

- Licensee's name;
 - Date of initial licensure;
 - Current licensure status; and
 - Any disciplinary action taken against the license; and
7. No change.

Individuals who were issued their licenses by endorsement within six months of the license renewal date will not be required to renew their licenses until the next renewal two years later. A person who is licensed in another jurisdiction but who is unable to satisfy the requirements for licensure by endorsement may apply for licensure by verification, if eligible, in accordance with rule 645—19.1(272C).

ITEM 5. Amend subrule 206.11(3) as follows:

206.11(3) Provide verification of current competence to practice occupational therapy by satisfying one of the following criteria:

a. If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the ~~license(s)~~ license from ~~every the~~ the jurisdiction in which the applicant ~~is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. to 4. No change.
(2) No change.

b. If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the ~~license(s)~~ license from ~~every the~~ the jurisdiction in which the applicant ~~is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. to 4. No change.
(2) No change.

ITEM 6. Amend rule ~~645—207.1(148B)~~, definitions of "Hour of continuing education" and "Independent study," as follows:

"Hour of continuing education" means at least 50 minutes spent by a licensee in actual attendance at and completion of completing an approved continuing education activity through live, virtual, online or prerecorded means where the instructor provides proof of completion by the licensee as set forth in these rules.

“Independent study” means a subject/program/activity that a person pursues autonomously ~~and~~ that meets standards for approval criteria in the rules ~~and includes a posttest.~~

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 4/19/23.